

REMARKS

In response to the above-identified Office Action, Claims 1-17 remain pending in the present application.

- paragraph for after final

For the reasons set forth more fully below, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present application are respectfully requested.

With respect to the Examiner's objection to the drawings for the problems in the PTO-948 form, Applicant respectfully submits that with the submission of formal drawings, the problems listed will be overcome. Applicant respectfully defers such submission until issuance of a notice of allowance.

Cited Art Rejections

The Examiner maintained the rejection of claims 1, 5-7, 11, 13, and 15-17 under 35 U.S.C. 102(e) as being anticipated by D'Amico et al. Applicant respectfully points out that the cited patent is actually the D'Angelo et al. patent, hereinafter referred to as D'Angelo. Claims 2-4, 8-9, and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over D'Angelo in view of Klein. Claim 10 stands rejected under 35 U.S.C. 103(a) as being unpatentable over D'Angelo in view of Klein and further in view of Fleming et al. hereinafter referred to as Fleming.

And, Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over D'Angelo in view of well known prior art. Applicant respectfully disagrees with the rejections.

In the present invention, theft protection for a portable computer system is provided. Within the portable computer system, a GPS (global position system) unit tracks the position of the portable computer system. Boundary conditions that are established within the portable computer system are compared in the portable computer system with the position tracked by the GPS unit. Anti-theft routines are performed within the portable computer system when the position tracked has violated the boundary conditions. See independent claim 1. The present invention further includes utilizing cellular calling functionality within the portable computer system to report a potential theft when the boundary conditions have been violated. See independent claim 6. A communication control system that includes a controller, a GPS unit, and a storage unit provides built-in anti-theft capabilities in a portable computer system. See independent claim 13. Applicant respectfully submits that the cited art fails to teach, show, or suggest Applicant's invention.

In making the rejections, the Examiner argues that D'Angelo discloses everything as claimed, except D'Angelo fails to specifically disclose having the cellular transceiver call a predetermined telephone number (for which the Examiner relies on Klein), and that D'Angelo and Klein fail to disclose using a facsimile protocol to convey location information (for which the Examiner relies on Fleming.) Further, the Examiner has responded to Applicant's previous remarks to these rejections by stating:

Regarding applicant's arguments concerning the GPS system, the examiner respectively disagrees since, based on the substitution or addition, FIG. 2 provides for the flow control to continue the boundary determining process prior to as well as after the alarm is sounded. Therefore, the examiner maintains that the claimed limitations have been addressed.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., single unit) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims.

With regard to the arguments concerning the GPS system, Applicant reiterates that D'Angelo fails to teach or suggest the utilization of a GPS unit within a portable computer system to track a position of a portable computer system, as recited in independent claims 1, 6, and 13. While the Examiner argues that the disclosure at col. 19, lines 49-52, teaches this aspect of the recited invention, Applicant reiterates that this section merely discloses that the D'Angelo system "in substitution or addition to sounding the alarm, can ... connect to a GPS system." Applicant fails to see how the substitution or addition of connection to a GPS system to the sounding of an alarm to indicate a potential theft in D'Angelo teaches or suggests tracking a position of a system with a GPS unit in order to determine whether boundary conditions for the system have been violated. Again, Applicant respectfully submits that the sounding of an alarm (step 68) in D'Angelo (Fig. 2) occurs after a detection of unauthorized movement (step 56). Whether or not the flow control continues after the sounding of the alarm, the performance of the sounding of the alarm will only occur each time the process is performed after the detection of unauthorized movement. There is nothing in D'Angelo's detection that teaches or suggested utilizing a GPS unit to perform the detection of unauthorized movement.

Further, given the proximity determinations being done in D'Angelo as part of the detection of unauthorized movement, Applicant respectfully submits that the utilization of a GPS unit would not be feasible for such determinations in the D'Angelo reference. As taught by D'Angelo, strength of a signal sent between the control unit and theft detector is used to determine whether a near field proximity of, for example, approximately 15 feet in radius, is maintained (see col. 8, lines 54-61.) Applicant respectfully submits that one of skill in the art would not attempt to utilize a GPS unit to perform proximity determinations in such a narrow distance field.

In addition, as presented previously, in the present invention, theft detection is capable of being performed entirely within a portable computing system. Applicant respectfully submits that ability to perform theft detection entirely within a portable computer system is recited in the present invention, particularly in independent claim 13, reproduced herein for the Examiner's convenience:

13. A communication control system for providing built-in anti-theft capabilities in a portable computer system, the communication control system comprising:

a controller;

a GPS (global position system) unit coupled to the controller for tracking a position of the portable computer system; and

a storage unit, the storage unit coupled to the controller and storing preset boundary conditions and out-of-boundary actions, wherein the controller compares the position to the

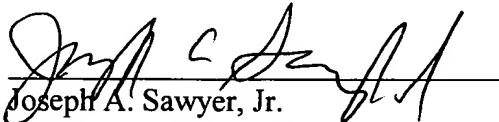
boundary conditions and initiates the out-of-boundary actions when the comparison identifies a violation of the boundary conditions.

Applicant still fails to see how the use of two separate units (control unit and theft detector unit) in D'Angelo can teach, show, or suggest performance of built-in theft detection entirely within a portable computer system.

In view of the foregoing, Applicant respectfully submits that D'Angelo wholly fails to teach, show, or suggest Applicant's recited invention. Further, given the deficiencies of D'Angelo, Applicant respectfully submits that even the inclusion of Klein or Klein and Fleming or the well known prior art, as set forth in the rejections, does not result in any teaching or suggestion of the recited invention. Accordingly, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. 102(e) and 103.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,


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